

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 187

BY BUSINESS COMMITTEE

AN ACT

RELATING TO MOTOR VEHICLES; AMENDING CHAPTER 28, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-2805A, IDAHO CODE, TO PROVIDE FOR NOTICE RELATING TO CERTAIN MOTOR VEHICLE SERVICE CONTRACTS, TO PROVIDE REQUIREMENTS AND TO PROVIDE FOR PENALTIES.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Chapter 28, Title 49, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 49-2805A, Idaho Code, and to read as follows:

49-2805A. MOTOR VEHICLE SERVICE CONTRACT ADVERTISEMENT – NOTICE – PENALTIES. (1) All advertisements or written offers to sell a motor vehicle service contract from a motor vehicle service contract provider or its representative, where such provider or representative is neither licensed as an automobile dealer pursuant to chapter 16, title 49, Idaho Code, nor is a motor vehicle manufacturer, shall contain the following notice:

"NOTICE TO CONSUMER

THIS IS AN ADVERTISEMENT OR OFFER TO SELL A MOTOR VEHICLE SERVICE CONTRACT. THE SENDER OF THIS COMMUNICATION IS NOT THE MOTOR VEHICLE MANUFACTURER OF YOUR VEHICLE OR A LICENSED IDAHO AUTOMOBILE DEALER NOR AFFILIATED WITH A MOTOR VEHICLE MANUFACTURER OR IDAHO AUTOMOBILE DEALER."

(2) The notice required by subsection (1) of this section shall be printed in no smaller than twelve (12) point font or type and shall be conspicuously located at the top of the advertisement or written offer to sell.

(3) In addition to any other penalty provided by law, any person who violates the provisions of this section shall be liable for penalties and damages in accordance with the provisions of chapter 6, title 48, Idaho Code.